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REMARKS

Applicant thanks the Examiner for examining the application, and for indicating that claims 3-5, 7-19, 26-28, and 30-42 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Applicant reserves the right to so rewrite these claims in the future, but declines to do so at the present time. Applicant also thanks the Examiner for indicating that claims 20-23, 43-46, 48 and 49 are allowable. Claims 1-49 are now pending in the application.

Claim Rejections – 35 U.S.C. § 102(a)

The Examiner rejected claims 1, 2, 6, 24, 25, 29, and 47 under 35 U.S.C. § 102(a) as being anticipated by Applicant's Admitted Prior Art (AAPA).

Applicant's independent claim 1 requires, among other things, detecting when a first process executing on a first processing device releases access to shared data; and in response to the first process releasing access to the shared data, attempting to identify a second process that: i) formerly executed on the first processing device; and ii) is awaiting access to the shared data.

However, Applicant's Admitted Prior Art (AAPA) does not disclose detecting when a first process executing on a first processing device releases access to shared data; and in response to the first process releasing access to the shared data, attempting to identify a second process that: i) formerly executed on the first processing device; and ii) is awaiting access to the shared data, as required by Applicant's independent claim 1. Indeed, throughout the entire Background section of Applicant's application, upon which the Examiner relies for AAPA that is the basis of the rejection, not a single mention is made of shared data, access to shared data, or that two processes may make use of the same data. Further, no mention is made at all of detecting that a first process has released access to shared data, and then taking actions in response to the first process releasing access to shared data, as required by Applicant's independent claim 1. All that Applicant's Background section, and by extension, the AAPA, discloses is conventional affinity-based processor

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scheduling; which does not involve access to shared data by two processes or threads but rather involves attempting to re-start a pre-empted process or thread on a processor that has access to a cache containing data from when that process or thread originally executed prior to its pre-emption.

As AAPA clearly fails to disclose detecting when a first process executing on a first processing device releases access to shared data; and in response to the first process releasing access to the shared data, attempting to identify a second process that: i) formerly executed on the first processing device; and ii) is awaiting access to the shared data, as required by Applicant's independent claim 1, AAPA thus fails to disclose Applicant's independent claim 1. Therefore, Applicant's independent claim 1 is allowable over AAPA.

Applicant's independent claims 24 and 47 contain limitations similar to those of Applicant's allowable independent claim 1. Therefore, for at least the reasons given above with regards to Applicant's allowable independent claim 1, Applicant's Admitted Prior Art does not anticipate Applicant's independent claims 24 and 47, and thus Applicant's independent claims 24 and 47 are themselves allowable over Applicant's Admitted Prior Art.

Applicant's dependent claims 2, 6, 25, and 29 depend from, respectively, Applicant's allowable independent claims 1 and 24. Therefore, for at least the reasons given above with regards to Applicant's allowable independent claims 1 and 24, Applicant's Admitted Prior Art does not anticipate Applicant's dependent claims 2, 6, 25, and 29, and thus Applicant's dependent claims 2, 6, 25, and 29 are themselves allowable over Applicant's Admitted Prior Art.

CONCLUSION

Applicant believes this Amendment and Response to be fully responsive to the present Office Action. Thus, based on the foregoing Remarks, Applicant respectfully

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submits that this application is in condition for allowance. Accordingly, Applicant requests allowance of the application.

Applicant hereby petitions for any extension of time required to maintain the pendency of this case. If there is any fee occasioned by this response that is not paid, please charge any deficiency to Deposit Account No. 50-3735.

Should the enclosed papers or fees be considered incomplete, Applicant respectfully requests that the Patent Office contact the undersigned collect at the telephone number provided below.

Applicant invites the Examiner to contact the Applicant's undersigned Attorney if any issues are deemed to remain prior to allowance.

Respectfully submitted,

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Dated: January 8, 2007